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Plaintiff, The Skillman Family Reunion Fund, Inc., respectfully moves the Court for an Order clarifying its Judgment Entry and Opinion dated March 1, 2002 with respect to the issue raised by the Court as to whether the Plaintiff is subject to Personal Holding Company tax, pursuant to 26 U.S.C. §542. Plaintiff agrees with the Defendant that this was not an issue raised by the Plaintiff in its

Complaint, and further agrees with Defendant that this Court does not have subject matter jurisdiction over the Personal Holding Company tax issue.

Respectfully submitted,

EASTMAN & SMITH LTD.

/s/ Henry N. Heuerman

/s/ Gerald P. Moran

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Plaintiff The Skillman Family Reunion Fund's Motion to Clarify Order** was filed electronically on April 22, 2002. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Henry N. Heuerman

An Attorney for Plaintiff

The Skillman Family Reunion Fund, Inc.

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